

BARON & BUDD, P.C.  
LAURA J. BAUGHMAN, ESQ. (*Pro Hac Vice*)  
J. BURTON LeBLANC, IV, ESQ. (*Pro Hac Vice*)  
S. ANN SAUCER, ESQ. (*Pro Hac Vice*)  
3102 Oak Lawn Avenue, Suite 1100  
Dallas, TX 75219  
Tel.: 214-521-3605/Fax: 214-520-1181  
[lbaughman@baronbudd.com](mailto:lbaughman@baronbudd.com)  
[bleblanc@baronbudd.com](mailto:bleblanc@baronbudd.com)  
[asaucer@baronbudd.com](mailto:asaucer@baronbudd.com)

Of Counsel:  
CRONIN, FRIED, SEKIYA, KEKINA & FAIRBANKS  
L. RICHARD FRIED, JR. 0764-0  
PATRICK F. McTERNAN 4269-0  
600 Davies Pacific Center  
841 Bishop Street  
Honolulu, Hawaii 96813  
Tel.: 808-524-1433/Fax: 808-536-2073  
[rfried@croninfried.com](mailto:rfried@croninfried.com)  
[pmcternan@croninfried.com](mailto:pmcternan@croninfried.com)

Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII**

STATE OF HAWAII, *ex rel.* DAVID  
M. LOUIE, ATTORNEY GENERAL,

Plaintiff,

v.

JPMORGAN CHASE & CO.;  
CHASE BANK USA, N.A.;  
and DOE DEFENDANTS 1-20,

Defendants.

CIVIL NO.: CV12-00263 LEK- KSC  
(Other Civil Action)

**PLAINTIFF'S NOTICE OF  
ADDITIONAL AUTHORITIES IN  
SUPPORT OF MOTION TO  
REMAND AND FOR COSTS AND  
FEES FILED JUNE 15, 2012 [DOC.  
NO. 37]**

*Hearing: November 19, 2012  
Time: 9:45 a.m.  
Judge: Hon. Leslie E. Kobayashi*

STATE OF HAWAII, *ex rel.* DAVID  
M. LOUIE, ATTORNEY GENERAL,

Plaintiff,

v.

HSBC BANK NEVADA, N.A.; HSBC  
CARD SERVICES, INC.; and DOE  
DEFENDANTS 1-20,

Defendants.

CIVIL NO. 12-00266 LEK-KSC  
(Other Civil Action)

**PLAINTIFF'S NOTICE OF  
ADDITIONAL AUTHORITIES IN  
SUPPORT OF MOTION TO  
REMAND AND FOR COSTS AND  
FEES FILED JUNE 15, 2012 [DOC.  
NO. 38]**

***Hearing: November 19, 2012  
Time: 9:45 a.m.  
Judge: Hon. Leslie E. Kobayashi***

STATE OF HAWAII, *ex rel.* DAVID  
M. LOUIE, ATTORNEY GENERAL,

Plaintiff,

v.

CAPITAL ONE BANK (USA) N.A.;  
CAPITAL ONE SERVICES, LLC; and  
DOE DEFENDANTS 1-20,

Defendants.

CIVIL NO. 12-00268 LEK-KSC  
(Other Civil Action)

**PLAINTIFF'S NOTICE OF  
ADDITIONAL AUTHORITIES IN  
SUPPORT OF MOTION TO  
REMAND AND FOR COSTS AND  
FEES FILED JUNE 15, 2012 [DOC.  
NO. 39]**

***Hearing: November 19, 2012  
Time: 9:45 a.m.  
Judge: Hon. Leslie E. Kobayashi***

STATE OF HAWAII, *ex rel.* DAVID  
M. LOUIE, ATTORNEY GENERAL,

Plaintiff,

v.

DISCOVER FINANCIAL SERVICES,  
INC.; DISCOVER BANK; DFS  
SERVICES, L.L.C.; AMERICAN  
BANKERS MANAGEMENT  
COMPANY, INC.; and DOE  
DEFENDANTS 1-20,

Defendants.

CIVIL NO. 12-00269 LEK-KSC  
(Other Civil Action)

**PLAINTIFF'S NOTICE OF  
ADDITIONAL AUTHORITIES IN  
SUPPORT OF MOTION TO  
REMAND AND FOR COSTS AND  
FEES FILED JUNE 15, 2012 [DOC.  
NO. 40]**

***Hearing: November 19, 2012  
Time: 9:45 a.m.  
Judge: Hon. Leslie E. Kobayashi***

STATE OF HAWAII, *ex rel.* DAVID  
M. LOUIE, ATTORNEY GENERAL,

Plaintiff,

v.

BANK OF AMERICA  
CORPORATION, FIA CARD  
SERVICES, N.A. and DOE  
DEFENDANTS 1-20,

Defendants.

CIVIL NO. 12-00270 LEK-KSC  
(Other Civil Action)

**PLAINTIFF'S NOTICE OF  
ADDITIONAL AUTHORITIES IN  
SUPPORT OF MOTION TO  
REMAND AND FOR COSTS AND  
FEES FILED JUNE 15, 2012 [DOC.  
NO. 41]**

*Hearing: November 19, 2012*

*Time: 9:45 a.m.*

*Judge: Hon. Leslie E. Kobayashi*

STATE OF HAWAII, *ex rel.* DAVID  
M. LOUIE, ATTORNEY GENERAL,

Plaintiff,

v.

CITIGROUP INC.; CITIBANK, N.A.  
DEPARTMENT STORES NATIONAL  
BANK and DOE DEFENDANTS 1-20,

Defendants.

CIVIL NO. 12-00271 LEK-KSC  
(Other Civil Action)

**PLAINTIFF'S NOTICE OF  
ADDITIONAL AUTHORITIES IN  
SUPPORT OF MOTION TO  
REMAND AND FOR COSTS AND  
FEES FILED JUNE 15, 2012 [DOC.  
NO. 42]**

*Hearing: November 19, 2012*

*Time: 9:45 a.m.*

*Judge: Hon. Leslie E. Kobayashi*

Pursuant to Local Rule 7.8, the Attorney General submits to the Court, copying counsel of record, the attached highlighted copy of the recent decision by the United States District Court for the District of Vermont in *MyinfoGuard, LLC v. Sorrell*, No. 2:12-cv-074 (D. Vt. Nov. 9, 2012). This decision is cited by the State as further authority demonstrating that Class Action Fairness Act jurisdiction does not exist over cases brought by State Attorneys General. *See id.* at p. 10 (“the State argues, correctly, that it is not a citizen for the purpose of diversity jurisdiction”); p. 12 (following wholesale approach of the Fourth, Seventh, and Ninth Circuits); p. 13 (explaining sovereignty concerns); pp. 14-15 (concluding that, “The fact that the State also seeks restitution for Vermont consumers specifically affected ... does not undermine the State’s broader interest in its case.”), pp. 18-19 (explaining that “the Court need not resolve these statutory questions” raised by Sellers).

DATED: Honolulu, Hawai`i, November 13, 2012.

RESPECTFULLY SUBMITTED,

---

CRONIN, FRIED, SEKIYA, KEKINA &  
FAIRBANKS

L. RICHARD FRIED, JR. 0764-0

PATRICK F. McTERNAN 4269-0

600 Davies Pacific Center

841 Bishop Street

Honolulu, Hawaii 96813

Tel.: 808-524-1433/Fax: 808-536-2073

[rfried@croninfried.com](mailto:rfried@croninfried.com)

[pmcternan@croninfried.com](mailto:pmcternan@croninfried.com)

BARON & BUDD, P.C.  
LAURA J. BAUGHMAN, ESQ.  
*(Admitted Pro Hac Vice)*  
J. BURTON LeBLANC, IV, ESQ.  
*(Admitted Pro Hac Vice)*  
S. ANN SAUCER, ESQ.  
*(Admitted Pro Hac Vice)*  
3102 Oak Lawn Avenue, Suite 1100  
Dallas, TX 75219  
Tel.: 214-521-3605/Fax: 214-520-1181  
[lbaughman@baronbudd.com](mailto:lbaughman@baronbudd.com)  
[bleblanc@baronbudd.com](mailto:bleblanc@baronbudd.com)  
[asaucer@baronbudd.com](mailto:asaucer@baronbudd.com)